

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:21-cr-00082-MR-WCM**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) **O R D E R**
)
DAYTON RAY RICE, II,)
)
Defendant.)
)

THIS MATTER is before the Court on a *pro se* letter filed by the Defendant. [Doc. 62].

The Defendant was sentenced by this Court to a term of 130 months' imprisonment in June 2022. [Doc. 60]. He is currently serving this sentence at FCI Edgefield in Edgefield, South Carolina. In his letter, the Defendant appears to allege that he is not receiving appropriate medical care. [Doc. 62].

The Defendant's letter is procedurally improper. A party cannot seek relief through the filing of letters; only motions will be ruled on by the Court. Further, to the extent that he is challenging the conditions of his current confinement, such claims are redressable through the filing of an action

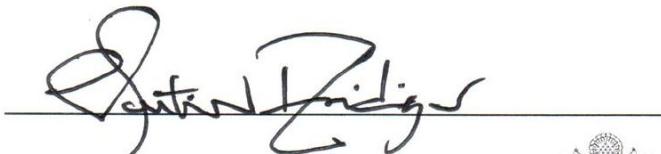
pursuant to 42 U.S.C. § 1983 against those officials allegedly acting in violation of his constitutional rights. Any such action should be filed in the district where the allegedly wrongful conduct occurred. Such claims are not redressable here in his criminal action.

IT IS, THEREFORE, ORDERED that the Defendant's letter [Doc. 62], which is construed a motion challenging the conditions of his confinement, is **DENIED WITHOUT PREJUDICE**.

The Clerk of Court is respectfully directed to send the Defendant a blank § 1983 form along with a copy of this Order.

IT IS SO ORDERED.

Signed: November 17, 2023



Martin Reidinger
Chief United States District Judge

